

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	:	
<u>ex rel. JOHN UNDERWOOD,</u>	:	
et al.,	:	
Plaintiffs,	:	
v.	:	CIVIL ACTION NO. 03-3983
	:	
GENENTECH, INC., et al.,	:	
Defendants.	:	

ORDER

AND NOW, this 2nd day of June, 2010, upon consideration of Relator John Underwood's Motion for Leave to File Second Amended Complaint (Doc. No. 63), Defendant Genentech's Response (Doc. No. 68), Genentech's Motion to Dismiss the First Amended Complaint (Doc. No. 73), Relator's Response (Doc. No. 74), and all related filings, it is hereby **ORDERED** as follows:

1. Genentech's Motion to Dismiss the First Amended Complaint (Doc. No. 73) is **DENIED**; and
2. Relator's Motion for Leave to File Second Amended Complaint (Doc. No. 63) is **GRANTED**.

AND IT IS SO ORDERED.

/s/ Paul S. Diamond

Paul S. Diamond, J.